

FY 2024 Budget Oversight Pre-Hearing Questions
Office of the Chief Medical Examiner

I. Operating Budget

General

1. Please provide a crosswalk of all FTEs that were reclassified to a different activity in the FY 2024 proposed budget.

13 FTEs from Mortuary Services (2300) to Medical Examiner Transport Team (2303)

1 FTE from Mortuary Services (2300) to Anthropology/Identification (2202)

1 FTE from Fatality Review Committees (3000) to Information Technology (1040)

1 FTE from Contracting and Procurement (1020) to Data Fusion Center (1041)

2. Please provide the position numbers for all positions eliminated in the proposed agency budget for FY 2024.

Position 00109336 - Program Analyst

Position 00075174 - 0.3 of Medical Examiner

- a. Were all eliminated positions vacant? If not, which positions were filled?

The Program Analyst was vacant. The Medical Examiner full FTE was broken into 3 part-time positions at .3 each. Two of the part-time positions were vacated by the end of January.

- b. Are these positions eliminated effective October 1, 2024, or were funds swept in the FY 2023 supplemental budget?

This is a policy inquiry to the Mayor's Administration.

- c. What is the agency's current vacancy rate?

The agency's current vacancy rate is 8%,

3. Please provide a detailed breakdown of all ARPA funds in the agency's proposed FY 2024 budget, including division, program, activity, purpose, and the years the funds will be used.

N/A

4. Please provide a hiring plan for the following vacant positions:
 - a. Position 00016298 - Candidate Selected, Start Date: 5/22/23
 - b. Position 00073620 - Filled, Start Date: 3/26/23 (Autopsy Technician)
 - c. Position 00075679 - Filled, Start Date: 3/26/23
 - d. Position 00091364 - Advertisement Closed, Interview Phase
 - e. Position 00092095 – To be Advertised.
 - f. Position 00099835 – Full-time Medical Examiner, To Be Advertised
 - g. Position 00106629- Part-time Medical Examiner (one of 3 part-time medical examiners); Hiring Plan is to Hire for the Full-time position if the agency has the third .3 portion)
 - h. Position 10012722 – Not a recognized position number

5. Regarding Special Purpose Revenue Funds, please provide the Committee with:

The agency has no actual spend plan for Special Purpose Revenue Funds as the funding was available for agency use in mid-FY22 via the Supplemental Budget. Please provide additional clarification on questions a and b below. With regard to c below, the SPR funds have no restrictions.

- a. A detailed spending plan for FY 2023 and FY 2024 for unspent funds in:
 - i. (0610) Medical Examiner Pathology & Taxology
 - b. Spend from the following SPRs in FY 2022, broken down by division and activity, and noting the program, initiative, or service supported by the SPR fund dollars:
 - i. (0610) Medical Examiner Pathology & Taxology
 - c. Where the following SPRs have any restrictions on usage of fund dollars or fund balance (for example, a requirement that the fund maintain a certain balance) not reflected in the establishing statute, please provide a summary of those restrictions:
 - i. (0610) Medical Examiner Pathology & Taxology
6. Please provide a summary of all ARPA-funded projects, including (1) funding levels for FY 2023, (2) historic spend to-date for FY 2021 and 2022, and (3) a spend plan for FY 2024 and 2025.

N/A

7. The Mayor's budget proposal includes a reallocation of 2 FTEs from full-time to temporary status. Please provide the position numbers, Division/Activity in the FY 2024 budget, and the agency's rationale for funding these FTEs only on a temporary basis?

The 2 FTEs are part-time Medical Examiners. One Medical Examiner FTE was split into 3 temporary part-time FTEs for the purpose of hiring 3 part-time medical examiners on a temporary basis. At this time, the agency's hiring plan includes

hiring a full-time medical examiner.

8. Regarding the reduction within the OVSJG proposed budget for FY 2024 to Vicarious Trauma Services for OCME staff, what services does OCME expect to be able to provide in FY 2024 versus what was provided when the program was fully funded?

(1000) Administrative Management Program: The agency received FY22 funding as a subgrant from OVSJG. The purpose of the funds was for implementation of vicarious trauma (mental health and wellness) employee training.

9. Please provide the agency's rationale for enhancing each of (1040) Information Technology Activity and (1041) Data Fusion Center by 1.0 FTE.

(2000) Death Investigations/Certifications: This was a realignment to the correct program and not an enhancement.

10. How many forensic pathologists would be needed for OCME to complete all autopsies within 90 days? Are there hurdles other than staffing to complete autopsies on this timeframe?

The agency has seven medical examiners including the Deputy Chief Medical Examiner and the Chief Medical Examiner. Increase in medical examiner caseload by 41% since 2017 is a challenge. Per the National Association of Medical Examiners (NAME), medical examiners should not perform more than 250 autopsies per year. More than 250 cases per year results in the agency receiving a deficiency within the accreditation process, thus, impacting accreditation status. Currently, the agency performs approximately between 1700 and 1900 cases at this time.

11. Please provide the agency's rationale for enhancing (2202) Anthropology/Identification by 1.0 FTE.

This was not an enhancement but a realignment to the correct program.

12. The agency's budget proposes a \$920,000 and 15.0 FTE cut from (2300) Mortuary Services. Mortuary Services is responsible for providing body transport and autopsy support to forensic pathology staff and the funeral industry.

Mortuary Services is no longer responsible for body transport as the Medical Examiner Transport Team which began as a pilot in 2016 and was implemented as a permanent program in 2017 with a budget program crosswalk toward creation of METT as a separate program activity. The activity was created in the FY23 budget formulation but is not a new activity. The purpose was to appropriately align activities within the budget.

- a. The agency budget also proposes establishing a new Activity, (2303) Medical Examiner Transport Team, with \$1,094,000 and 13.0 FTEs. Does this new Activity represent a shift of FTEs from (2300) to (2302)?

- i. How will the responsibilities of these two Activities differ and why is it necessary to establish a new Activity?

The responsibilities have not changed. The modification was to ensure appropriate alignment of the agency activities.

- ii. If a transfer, the associated FTEs has been reduced by 2.0. Is that the case? And, if so, please provide the agency's rationale for eliminating these 2.0 FTEs, and a description of how this reduction will mortuary services?

One FTE was shifted to anthropology and one (program analyst) was eliminated.

- b. The agency's budget chapter also makes clear that, as a policy decision, you are reducing mortuary dictation services, consulting, and testing by \$100,000. What will be the impact of these cuts?

The Mayor's policy decision is for the \$100,000 reduction.

13. Where (2303) is not a non-substantive transfer of FTEs from (2300), what is the agency's rationale for establishing this new Activity? What will these FTEs be doing?

METT is not new activity but is now reflected appropriately in the budget.

14. The agency's budget includes a reduction of \$100,000 for mortuary dictation services, consulting, and testing. Does this represent a determination by OCME to procure less of these services or a reduction in costs for services? If the former, please provide the agency's rationale for procure fewer mortuary services.

(3000) Fatality Review Committees: The Mayor's policy decision is for the \$100,000 reduction.

15. The agency's proposed budget appears to shift FTEs within this Division to a new Activity, (3400) General Fatality Review.

- a. Please provide the agency's rationale for establishing this new Activity.

The shift is a realignment to the appropriate "name" of the budget activity. The budget reflects funding for all agency fatality reviews and not just "child"

fatality review. As such, the name of the activity is now the “General Fatality Review” to reflect all reviews.

- b. Why did the agency eliminate 1.0 FTE from this Division when making this transfer?
- c. What impact will elimination of this FTE have on operations, given the fatality review committees already face significant delays in reviewing fatalities and publishing reports?

Response to b and c: The Fatality Review Division does not have an elimination of a local FTE. The FTE was moved to reflect a grant position and is no longer reflected as an intradistrict within the budget.

16. The Committee is considering legislation to stand up a Transgender Fatality Review Board. Trans women, especially trans women of color, face high rates of violence; the Committee thinks it is critical that the District government focus on these fatalities and, importantly, produce recommendations on how to reduce violence and other harms against trans women.

Please note that the annual number of transgender fatalities is minimal. Based on an initial data query, the number of transgender fatalities is approximately 3 per year, with one based on violence and the others being natural or accident. While the question references high rates of violence and a District government focus on reducing violence and other harms, this has not translated into fatalities, as stated herein. (This response covers a-c).

- a. Is this something OCME would be supportive of? Does OCME have any recommendations to enhance or guide the Committee’s work drafting legislation to establish this new fatality review board?
- b. What funding and FTEs are necessary to stand up a fatality review board?
- c. What agencies and other entities does OCME believe should serve on this board?

17. Would OUC be supportive of adding a representative from OUC to the Domestic Violence Fatality Review Committee?

The agency defers to OUC for this response.

II. Capital Budget

18. Please provide a spending plan for all capital projects with allotment balances but no new funding proposed in the CIP. The spend plan should be represented actual anticipated spending per fiscal year for this project, not simply reiterate allocated funding for that fiscal year.

As the implementing agency for the project, the Department of General Services (DGS) would provide the spend plan for FXOFRC – OCME Facility Renovation. With regard to the FXEERC project – Equipment Replacement, the spending plan includes procurement of toxicology instrumentation/equipment per the agency’s equipment replacement plan. Note that the agency’s equipment replacement plan includes approximately 62 pieces of equipment with varying target replacement time periods and a total cost of \$7,629,414 as of 2022. In determining what equipment must be replaced on an annual basis, the forensic toxicology laboratory staff consider the age of the equipment and the current testing needs based on industry standards, technological advances and the testing needs and prevalent drug trends. This assessment cannot be made a year in advance as the technology and drug trends continuously and rapidly change. However, it is to be noted that there is no lack of available equipment for replacement based on age alone. Equipment costs for one piece of equipment range from to \$8,000 to \$500,000.

19. Please provide a spending plan for all capital projects with allotment balances but no new funding proposed in the CIP.

See response to Question 18.

20. Please provide the agency’s rationale for enhancing (FXEERC) Equipment Replacement at the CFL by \$700,000 in FY 2024. Why are these additional funds necessary?

The Mayor’s budget includes a capital budget for the agency that includes \$700,000 in FY24 for the FXEERC project – Equipment Replacement.

Certain OCME Toxicology Laboratory equipment is about 10 years old and other equipment is scheduled for replacement per the laboratory equipment replacement plan. Industry standards and accreditation guidelines require replacement within 7-10 years from procurement. Laboratory equipment is also expensive and current local funding only provides for the procurement of 3-4 small instruments of over 30 instruments. Aged equipment results in increased maintenance costs. The death investigations division must also maintain equipment per industry and accreditation standards. The success of the FXEERC project - Equipment Replacement Plan - is demonstrated by the agency’s ability to procure, install, test and use the equipment. Adequate equipment allows the agency to consistently perform toxicology testing such that the laboratory can meet its KPIs.

The inability to replace equipment prevents the laboratory from utilizing up-to-date models and increasing maintenance costs for aging equipment. When instrumentation is “down” for maintenance/repair, turnaround times for completion of post-mortem, sexual assault and DUI testing are jeopardized and next of kin, victims and law enforcement must wait longer for report results.

21. Please provide the agency's rationale for enhancing (FX0FRC) OCME Facility Renovation at the CFL by \$700,000 in FY 2024. Why are these additional funds necessary?

The Mayor's budget includes a capital budget for the agency that includes \$700,000 in FY24 for the FX0FRC – OCME Facility Renovation.

This project is two-fold.

First, the agency must implement Phase II of its facility renovation. The agency continues to have challenges with spacing to include staff seating and offices, as well as storage. The project also supports funding for the agency's continued facility renovations to build-out of the Continuity of Operations Plan (COOP) with regard to replacement of the COOP site roof, pavement of the parking lot, security upgrades (fencing and security system) and renovation of internal space for mortuary operations and storage space for COOP supplies and equipment. Accrediting bodies require that the agency have a COOP site and mass fatality plan. The agency expects the COOP renovation to provide a base camp for a field operations center (which would have been invaluable during the COVID-19 pandemic where the agency built-out all of its operation). Funding is required in FY24 for initial design and procurement of resources for both efforts.